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October 9, 2001

VIA HAND DELIVERY

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OCT - 9 2001

Dorothy T. Attwood, Esq.
Chief, Common Carrier Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Petition of Cox Virginia Telcom, Inc. for
Arbitration of an Interconnection Agreement
with Verizon Virginia Inc.
CC Docket No. 00-249 /

Dear Ms. Attwood:

I am writing to you on behalf of Cox Virginia Telcom, Inc. ("Cox") concerning the status of Cox's motion to enforce the Commission's August 17 Order in the above-referenced proceeding. As you know, that motion addressed issues relating to the implementation of the Commission's order partially granting Cox's motion to strike Verizon's proposed contract language for Issue I-5, which concerns compensation for ISP-bound traffic. I am authorized to inform you that Verizon Virginia Inc. has reviewed and approved this letter.

On October 2, 2001, Verizon transmitted new proposed contract language for Issue I-5 to Cox.¹ That language is attached. Cox has reviewed the language and concluded that it is sufficient to comply with the requirements of the August 17 Order. Consequently, Verizon will substitute the new language for the corresponding language in its earlier proposal and Cox will withdraw the motion to enforce.

Verizon's substitution of this language does not resolve Issue I-5 between Cox and Verizon, and so both parties continue to intend to put on their witnesses during the hearing.

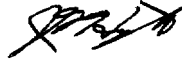
¹ Cox did not receive the new language from Verizon until after Cox had filed a letter seeking Commission action on the motion to enforce the August 17 order.

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Dorothy T. Attwood, Esq.
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Please inform me if any questions should arise in connection with this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "J.G. Harrington", written in a cursive style.

J.G. Harrington

JGH/

Attachment

cc: As per attached service list

Attachment

Verizon's October 2 Proposed Language for Issue I-5

Draft 9/30/01

1.60a "Reciprocal Compensation Traffic" means Telecommunications traffic originated by a Customer of one Party on that Party's network and terminated to a Customer of the other Party on that other Party's network, except for Telecommunications traffic that is interstate or intrastate Exchange Access, Information Access, or exchange services for Exchange Access or Information Access. The determination of whether Telecommunications traffic is Exchange Access or Information Access shall be based upon Verizon's local calling areas as defined in Verizon's effective Customer Tariffs (including, but not limited to, to the extent applicable, Verizon Tariffs S.C.C.-Va.-Nos. 201 and 202). Reciprocal Compensation Traffic does not include: (1) any Measured Internet Traffic; (2) traffic that does not originate and terminate within the same Verizon local calling area as set forth in Verizon's effective Customer Tariffs (including, but not limited to, to the extent applicable, Verizon Tariffs S.C.C.-Va.-Nos. 201 and 202); (23) Toll Traffic, including, but not limited to, calls originated on a 1+ presubscription basis, or on a casual dialed (10XXX/101XXX) basis; (34) Optional Extended Local Calling Arrangement Traffic; (45) special access, private line, Frame Relay, ATM, or any other traffic that is not switched by the terminating Party; or, (56) Tandem Transit Traffic. For the purposes of this definition, a Verizon local calling area includes a Verizon non-optional Extended Local Calling Scope Arrangement, but does not include a Verizon optional Extended Local Calling Scope Arrangement.

4.2.1 Trunk Types. Section 4 describes the architecture for Interconnection of the Parties' facilities and equipment over which the Parties shall configure the following separate and distinct trunk groups:

Traffic Exchange Trunks for the transmission and routing of terminating Reciprocal Compensation Traffic, Tandem Transit Traffic, Measured Internet Traffic, translated LEC IntraLATA toll free service access code (e.g. 800/888/877/866) traffic, IntraLATA Toll Traffic between their respective Telephone Exchange Service customers pursuant to Section 251 (c)(2) of the Act, in accordance with Section 5;

5.5 Grades of Service

Traffic Exchange trunk groups provided by either Party for Reciprocal Compensation, Measured Internet, and IntraLATA Toll traffic will be engineered using a design blocking objective of B.01 (Blocking Level B.01 - high-day-network-busy-hour blocking standard). Where Interconnection for Reciprocal Compensation, Measured Internet, and IntraLATA Toll traffic is provided via a Party's Tandem, all final trunk groups between that Party's Tandem switch and its End Office switches will be engineered using a design blocking objective of B.01. Access Toll Connecting trunk groups provided by the Parties for Exchange Access traffic will be engineered using a design blocking objective of B.005 (Blocking Level B.005 - high-day-network-busy-hour blocking standard).

5.7.2 Transport and termination of the following types of traffic shall not be subject to the Reciprocal Compensation arrangements set forth in this subsection 5.7, but instead shall be treated as described or referenced below:

(d) No Reciprocal Compensation shall apply to Measured Internet Traffic.

5.7.4 The determination of whether traffic is Reciprocal Compensation Traffic or Measured Internet Traffic shall be performed in accordance with Paragraphs 8 and 79, and other applicable provisions, of the FCC Internet Order (including, but not limited to, in accordance with the rebuttable presumption established by the FCC Internet Order that traffic delivered to a carrier that exceeds a 3:1 ratio of terminating to originating traffic is Measured Internet Traffic, and in accordance with the process established by the FCC Internet Order for rebutting such presumption before the Commission).

5.7.7 The Parties' rights and obligations with respect to any intercarrier compensation that may be due in connection with their exchange of Measured Internet Traffic shall be governed by the terms of the FCC Internet Order, and other applicable FCC orders and FCC Regulations. Notwithstanding any other provision of this Agreement or any Tariff, a Party shall not be obligated to pay any intercarrier compensation for Measured Internet Traffic that is in excess of the intercarrier compensation for Measured Internet Traffic that such Party is required to pay under the FCC Internet Order and other applicable FCC orders and FCC Regulations.

7.1 Information Services Traffic

The following provisions shall apply only to Cox-originated Information Services Traffic directed to an Information Services platform connected to Verizon's network, should Cox elect to deliver such traffic to Verizon. At such time as Cox connects Information Services platforms to its network, the Parties shall agree upon a comparable arrangement for Verizon-originated Information Services Traffic. The Information Services Traffic subject to the following provisions is circuit switched voice traffic, delivered to information service providers who offer recorded announcement information or open discussion information programs to the general public. Information Services Traffic does not include Measured Internet Traffic.

EXHIBIT A

All instances of "Internet Traffic" to be changed to "Measured Internet Traffic."

CERTIFICATE OF SERVICE

I, Vicki Lynne Lyttle, a legal secretary at Dow, Lohnes & Albertson, PLLC do hereby certify that on this 9th day of October, 2001, copies of the foregoing correspondence were served as follows:

TO FCC as follows (by hand):

Dorothy T. Attwood, Chief (8 copies)
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TO AT&T as follows:

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TO VERIZON as follows:

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TO WORLDCOM as follows:

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601 13th Street, NW
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Vicki Lynne Lyttle